

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Joachim Laurent Naimer, et. al.	Examiner:	John A. Tweel, Jr.
Serial No.	10/662,485	Group Art Unit:	2636
Filed:	September 15, 2003	Docket No.	56946.022800
Title:	NONLINEAR TAPE DISPLAY		
Customer No.:	33717		

RESPONSE

Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Office Action mailed on July 7, 2006, kindly consider the following remarks in reconsideration of the rejections.

Claims 1-5, 7-18, 22-29, 33-37, and 39-43 are rejected as unpatentable over Gordon in view of Staggs, et al. (U.S. 6,683,541). The examiner states that Gordon shows the claimed electronic airspeed tape having a scrolling linear scale seen in Figures 2 and 11. The examiner admits that Gordon does not disclose non-linear scales. He therefore looks to Staggs, et al. for this feature. It is true that nonlinear scales have been used in instruments for some time. It is also true that non-linear scales have been utilized before as evidenced by Staggs, et al.

However, never before has a scrolling electronic tape scale been non-linear. The Staggs, et al. nonlinear scale is stationary. The examiner has pointed to no disclosure in Staggs, et al. or in Gordon that suggests providing a moving, or scrolling non-linear scale. There simply is no suggestion in either reference that would lead one to combine the teachings of a moving linear scale and a stationary non-linear scale to form a moving non-linear scale as in Applicants'

claims. There is simply no suggestion in the prior art before Applicants' invention of making such a combination.

Referring to claim 27, the examiner states that "Gordon shows a scrolling heading indicator (No. 24) wherein the nonlinear scale seen centered in Figure 2 emulates the view of a mechanical drum gauge, and wherein a scroll of the electronic heading tape maintains the nonlinear scale on the display. However, the heading tape is not non-linear." It is respectfully submitted that the view of heading indicator No. 24 is not a mechanical drum gauge at all, but is that of a rotating disc. Further, the scroll of the heading tape does NOT maintain a nonlinear scale on the display as stated by the examiner. It is arcuate, with equally arcuately spaced markings. A nonlinear scrolling of a scale is simply not taught by either reference.

The examiner recognized, in rejecting Applicants' claim 41, in comparing it to Gordon, et al., that "there is no non-linear decrease of the distance between tick marks as the distance from the middle portion increases emulating a mechanical drum gauge." This is clearly true and not taught by the prior art. Yet the examiner, for an unknown reason, maintains the rejection. This makes no sense whatsoever. There is simply NO teaching in Gordon, et al. or Staggs, et al. that discloses or suggests the limitations set forth in these rejected claims. Therefore it is respectfully submitted that rejection of claims 1-5, 7-18, 22-29, 33-37 and 39-43 is without true merit and the rejection should be withdrawn.

Claims 6, 32, and 38 stand rejected under 35 USC 103(a) over Gordon, et al. in view of Staggs, et al. and further in view of Konicke, et al. on the basis that Konicke, et al. teaches the use of pointers. However, Konicke fails to make up for the deficiencies of Gordon, et al. and Staggs, et al. Therefore this rejection should also be withdrawn.

Claims 19-21, 30, and 31 stand rejected as obvious over Gordon, et al. in view of Staggs, et al. and in view of Briffe, et al. There is no teaching in Briffe, et al. of a moving or scrolling non-linear scale and thus this rejection should also be withdrawn.


Claims 1-43 are pending in the application. These claims are believed to be fully allowable over the art of record. It is respectfully submitted that the application is in condition

for allowance for the reasons set forth above and for the reasons set forth in Applicants' prior amendments. Should the Examiner have any remaining questions or concerns, he is urged to contact the undersigned attorney at the phone number listed below to expeditiously resolve those concerns.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 56946.022800 is referred to when charging any payments or credits for this case.

Respectfully submitted,

Date: September 13, 2006



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